

January 8, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of November 2006. Please review the highlighted charge on Serial Number 10/553,124, in the amount of \$1,150.00 on fee code #1202.

This charge is in error as the original application contained 28 Total Claims. The August 1, 2006 Preliminary Amendment increased the Total Number of Claims to 43. All of the fees associated with the original application and the Amendment were charged to our credit card as the attached fee sheets from the PTO file confirm.

Please note that we are entitled to an additional \$50.00 refund as the Highest Number of Previously Paid for Claims before the Preliminary Amendment was 28 not 27.

Please review this application and kindly refund \$1200.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

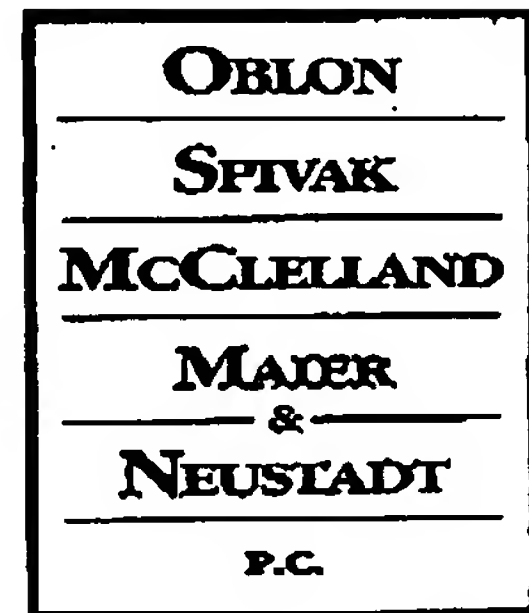
Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Scott Lohr

Enclosure: Deposit Account Statement

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

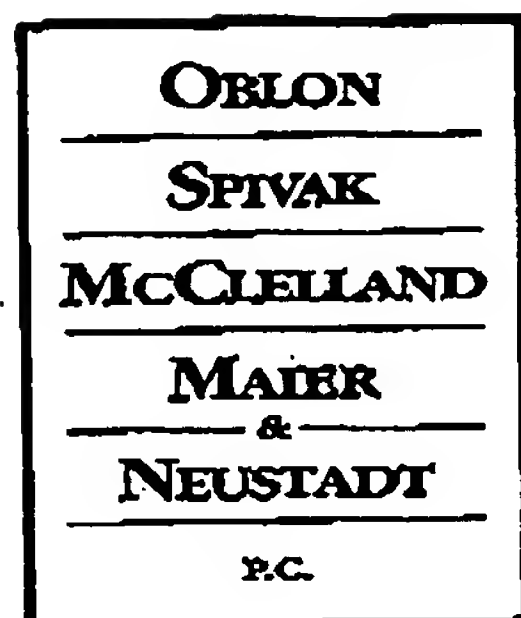


ATTORNEYS AT LAW
KATHLEEN A. MORSEBERGER
CONTROLLER
(703) 412-6494
KMORSEBERGER@OBLON.COM

JAN. 8. 2007 2:51PM

OBLON SPIVAK

NO. 924 P. 1



ATTORNEYS AT LAW

1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
USA

(703) 413-3000
(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

WWW.OBLON.COM

FACSIMILE

PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

| | | | |
|------|----------------------------------|----------------|--|
| TO | Office of Finance | DATE | 1/8/2007 |
| | NAME | | |
| | USPTO | | |
| | COMPANY/FIRM | FAX # | 571-273-6500 |
| | NUMBER OF PAGES INCLUDING COVER: | CONFIRM FAX: | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| FROM | Scott Lohr | OUR REFERENCE | |
| | NAME | YOUR REFERENCE | |
| | 703-412-6472 | | |
| | DIRECT PHONE # | | |

MESSAGE

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month:

November 2006

Deposit Account Number:

150030

Name:

NORMAN F. OBLON

Attention:

Address:

1940 DUKE STREET

City:

ALEXANDRIA

State:

VA

Zip:

22314

Country:

UNITED STATES

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|-----|--------------------|---------------------------|-------------|--------------|-------------|
| 11/01 | 19 | 11516759 | 295988US/KQU | 8007 | \$40.00 | \$27,456.71 |
| 11/01 | 8 | 11362795 | 286696US CONT | 1202 | \$550.00 | \$28,906.71 |
| 11/01 | 20 | 10323833 | 232130US-30 | 1201 | \$200.00 | \$26,706.71 |
| 11/01 | 1 | 10952743 | 259722US3RD | 1806 | \$180.00 | \$26,526.71 |
| 11/01 | 1 | 10890180 | 255958US2CRL | 1203 | \$360.00 | \$26,166.71 |
| 11/01 | 86 | PAYMENT | | 9203 | -\$10,000.00 | \$36,166.71 |
| 11/02 | 18 | 09869295 | 210375US2PCT | 1401 | \$500.00 | \$35,666.71 |
| 11/02 | 114 | 1160492 | | 8504 | \$30.00 | \$35,636.71 |
| 11/02 | 1 | 10657278 | 242610US2SRD | 1806 | \$180.00 | \$35,456.71 |
| 11/02 | 67 | 11018226 | 263759US0 | 1806 | -\$180.00 | \$35,636.71 |
| 11/02 | 68 | 11018226 | 263759US0 | 1806 | \$180.00 | \$35,456.71 |
| 11/02 | 69 | 10814247 | 251230US2 | 1806 | -\$180.00 | \$35,636.71 |
| 11/03 | 17 | 09889023 | 450101-02844 | 1201 | -\$200.00 | \$35,836.71 |
| 11/03 | 4 | 10338835 | 232627US2 | 1806 | \$180.00 | \$35,656.71 |
| 11/06 | 84 | 10681345 | 243569US3 | 8001 | \$30.00 | \$35,626.71 |
| 11/06 | 1 | 10553124 | 279689US0XPCT | 1202 | \$1,150.00 | \$34,476.71 |
| 11/06 | 1 | 11018226 | 263759US0 | 1202 | -\$800.00 | \$35,276.71 |
| 11/06 | 3 | 10325755 | 232090US2S | 1251 | -\$120.00 | \$35,396.71 |
| 11/06 | 4 | 10435564 | 012880-004 | 1251 | -\$120.00 | \$35,516.71 |
| 11/06 | 128 | 0180250062 | 274415US/MZ | 8013 | \$25.00 | \$35,491.71 |
| 11/06 | 150 | 60734752 | 281099US/KQU | 8007 | \$60.00 | \$35,431.71 |
| 11/06 | 9 | 10577928 | 282602US8X PCT | 1615 | \$50.00 | \$35,381.71 |
| 11/07 | 11 | 60775780 | 286733US/KQU | 8007 | \$60.00 | \$35,321.71 |
| 11/07 | 17 | 09311148 | 5244-0092-2 | 1806 | -\$180.00 | \$35,501.71 |
| 11/08 | 34 | 60775789 | 286732US/KQU | 8007 | \$60.00 | \$35,441.71 |
| 11/08 | 3 | 11482834 | 292693US0X CONT | 1202 | -\$250.00 | \$35,691.71 |
| 11/08 | 5 | 11482834 | 292593US0XCONT | 1202 | \$200.00 | \$35,491.71 |

JAN. 8. 2007 2:52PM

OBLON SPIVAK

NO. 924 P. 4

Docket No. 279689US0X PCT

IN RE APPLICATION OF: Noboru ENDO, et al.

SERIAL NO: 10/553,124

FILED: October 14, 2005

FOR: GENE CAPABLE OF IMPARTING SALT STRESS RESISTANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

AUG 01 2006

LAP? Rec'd PCT/PTO 01 AUG 2006

SIR:

Transmitted herewith is a Preliminary Amendment Statement in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Return Copy - Notice to Comply
Substitute Sequence Listing and Computer-Readable Form (CRF)

The Fee has been calculated as shown below:

| CLAIMS | CLAIMS REMAINING | | HIGHEST NUMBER PREVIOUSLY PAID | NO. EXTRA CLAIMS | RATE | CALCULATIONS |
|--|---------------------|-------|---|---------------------------------|-----------|--------------|
| TOTAL | 43 | MINUS | 27 | 16 | x \$50 = | \$800.00 |
| INDEPENDENT | 2 | MINUS | 3 | 0 | x \$200 = | \$0.00 |
| APPLICATION SIZE | | MINUS | 100 | 0 (each addtl. 50 sheets) | x \$250 = | \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS | | | | | + \$360 = | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | | | \$800.00 |
| <input type="checkbox"/> Reduction by 50% for filing by Small Entity | | | | | | \$0.00 |
| TOTAL | | | | | | \$800.00 |

- ☐ A check in the amount of \$0.00 is attached.
- ☒ Credit card payment form is attached to cover the fees in the amount of \$800.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

08/04/2006 GFREY1 00000087 10553124

01 FC:1615

800.00 OP

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMQV 05/03)OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.Stephen G. Baxter
Registration No. 32,884Vincent K. Shier, Ph.D.
Registration No. 50,552

| PATENT APPLICATION FEE DETERMINATION RECORD | | | | | | Application or Docket Number | | | |
|---|--|---|--|------------------------------------|--|--|--|---------------------|--|
| Effective December 8, 2004 | | | | | | 10/553, 124 | | | |
| CLAIMS AS FILED - PART I | | | | | | SMALL ENTITY TYPE <input type="checkbox"/> OR OTHER THAN SMALL ENTITY | | | |
| (Column 1) | | (Column 2) | | RATE | | FEE | | | |
| U.S. NATIONAL STAGE FEES | | | | RATE | | FEE | | | |
| BASIC FEE | | SMALL ENT. = \$ 150 | | BASIC FEE | | OR BASIC FEE | | | |
| EXAMINATION FEE | | Satisfies PCY Article 33(1) = \$ 50 / \$ 100 | | EXAM. FEE | | OR EXAM. FEE | | | |
| SEARCH FEE | | U.S. is USA = \$ 50 / \$ 100 ALL other countries = \$ 200 / \$ 400 | | SEARCH FEE | | OR SEARCH FEE | | | |
| FEE FOR EXTRA SPEC. PGS. | | minus 100 = | | X \$ 125 = | | OR X \$ 250 = | | | |
| TOTAL CHARGEABLE CLAIMS | | 28 minus 20 = 8 | | X \$ 25 = | | OR X \$ 50 = | | | |
| INDEPENDENT CLAIMS | | 2 minus 3 = | | X \$ 100 = | | OR X \$ 200 = | | | |
| MULTIPLE DEPENDENT CLAIM PRESENT | | <input checked="" type="checkbox"/> | | + \$ 180 = | | OR + \$ 360 = | | | |
| | | | | TOTAL | | OR TOTAL | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2 | | | | | | 1660 | | | |
| CLAIMS AS AMENDED - PART II | | | | | | SMALL ENTITY <input type="checkbox"/> OR OTHER THAN SMALL ENTITY | | | |
| (Column 1) | | (Column 2) | | (Column 3) | | RATE | | ADDITIONAL FEE | |
| AMENDMENT A | | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | RATE | | ADDITIONAL FEE | |
| Total | | Minus | | ** | | X \$ 25 = | | OR X \$ 50 = | |
| Independent | | Minus | | *** | | X \$ 100 = | | OR X \$ 200 = | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | <input type="checkbox"/> | | | | + \$ 180 = | | OR + \$ 360 = | |
| | | | | | | TOTAL ADDIT. FEE | | OR TOTAL ADDIT. FEE | |
| (Column 1) | | (Column 2) | | (Column 3) | | RATE | | ADDITIONAL FEE | |
| AMENDMENT B | | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | RATE | | ADDITIONAL FEE | |
| Total | | Minus | | ** | | X \$ 25 = | | OR X \$ 50 = | |
| Independent | | Minus | | *** | | X \$ 100 = | | OR X \$ 200 = | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | <input type="checkbox"/> | | | | + \$ 180 = | | OR + \$ 360 = | |
| | | | | | | TOTAL ADDIT. FEE | | OR TOTAL ADDIT. FEE | |
| * If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 7, enter "7". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1. | | | | | | | | | |

Form PTO-475 (Rev. 02/2005)

Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE

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OBLON SPIVAK

NO. 924 P. 6

PATENT APPLICATION SERIAL NO. 10/553,124

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

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10/24/2005 EFREY1 00000063 10553124

| | |
|------------|-----------|
| 01 FC:1631 | 300.00 DP |
| 02 FC:1633 | 200.00 DP |
| 03 FC:1642 | 400.00 DP |
| 04 FC:1615 | 350.00 DP |
| 05 FC:1616 | 350.00 DP |

PTO-1556
(5/87)

U.S. Department of Commerce 2007 - 400-272-9833

05/01/2006 AJOHMS02-8888884 158830 10553124
01 FC:1615 50.00 DP

| MULTIPLE DEPENDENT CLAIM FEE CALCULATION SHEET (FOR USE WITH FORM PTO-915) | | | | | | | SERIAL NO. 10/533,124 | | FILING DATE | | | | |
|--|----------|------|-----------------------|------|-----------------------|------|---------------------------------|----------|-------------|-----------------------|------|-----------------------|------|
| CLAIMS | | | | | | | | | | | | | |
| | AS FILED | | AFTER IN AMENDMENT | | AFTER IN AMENDMENT | | | AS FILED | | AFTER IN AMENDMENT | | AFTER IN AMENDMENT | |
| | IND. | DEP. | IND. | DEP. | IND. | DEP. | | IND. | DEP. | IND. | DEP. | IND. | DEP. |
| 1 | | | | | | | 51 | | | | | | |
| 2 | | | | | | | 52 | | | | | | |
| 3 | | | | | | | 53 | | | | | | |
| 4 | | | | | | | 54 | | | | | | |
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| 8 | | | | | | | 58 | | | | | | |
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| 10 | | | | | | | 60 | | | | | | |
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| 12 | | | | | | | 62 | | | | | | |
| 13 | | | | | | | 63 | | | | | | |
| 14 | | | | | | | 64 | | | | | | |
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| 41 | | | | | | | 91 | | | | | | |
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| 46 | | | | | | | 96 | | | | | | |
| 47 | | | | | | | 97 | | | | | | |
| 48 | | | | | | | 98 | | | | | | |
| 49 | | | | | | | 99 | | | | | | |
| 50 | | | | | | | 100 | | | | | | |
| TOTAL IND. | 2 | | | | | | TOTAL IND. | | | | | | |
| TOTAL DEP. | 26 | | | | | | TOTAL DEP. | | | | | | |
| TOTAL CLAIMS | 28 | | | | | | TOTAL CLAIMS | | | | | | |

PTO-136 (REV. 8/07)

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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OBLON SPIVAK

Not sure why

NO. 924 F.P. 8-

PTO/SB/08 (07-03)

Approved for use through 1/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875 | | | | | Application or Dockset Number 10/553,124 | | Filing Date 10/14/2005 | | <input type="checkbox"/> To be Mailed | |
|--|--|---|------------------------------------|---------------|--|---------------------|--------------------------------|-----------------|---------------------------------------|--|
| APPLICATION AS FILED - PART I | | | | | | | OTHER THAN SMALL ENTITY | | | |
| | | (Column 1) | (Column 2) | | SMALL ENTITY <input type="checkbox"/> OR | | | | | |
| | | FOR | NUMBER FILED | NUMBER EXTRA | RATE (\$) | FEE (\$) | | RATE (\$) | FEE (\$) | |
| <input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c)) | | | N/A | N/A | N/A | | | N/A | | |
| <input type="checkbox"/> SEARCH FEE (37 CFR 1.16(a), (b), or (c)) | | | N/A | N/A | N/A | | | N/A | | |
| <input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(a), (b), or (c)) | | | N/A | N/A | N/A | | | N/A | | |
| TOTAL CLAIMS (37 CFR 1.16(f)) | | | 43 minus 20 = | 23 | X \$ | | OR | X \$50 = | 1150 | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | | | 2 minus 3 = | 0 | X \$ | | | X \$200 = | 0 | |
| <input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(g)) | | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g). | | | | | | | | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i)) | | | | | | | | | | |
| | | | | | TOTAL | | | TOTAL | 1150 | |
| APPLICATION AS AMENDED - PART II | | | | | | | OTHER THAN SMALL ENTITY | | | |
| | | (Column 1) | (Column 2) | (Column 3) | SMALL ENTITY OR | | SMALL ENTITY | | | |
| AMENDMENT | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE (\$) | ADDITIONAL FEE (\$) | | RATE (\$) | ADDITIONAL FEE (\$) | |
| | Total (37 CFR 1.16(f)) | | Minus | = | X \$ | | OR | X \$ | | |
| | Independent (37 CFR 1.16(h)) | | Minus | = | X \$ | | OR | X \$ | | |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(g)) | | | | | | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i)) | | | | | | | | | |
| AMENDMENT | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE (\$) | ADDITIONAL FEE (\$) | | RATE (\$) | ADDITIONAL FEE (\$) | |
| | Total (37 CFR 1.16(f)) | | Minus | = | X \$ | | OR | X \$ | | |
| | Independent (37 CFR 1.16(h)) | | Minus | = | X \$ | | OR | X \$ | | |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(g)) | | | | | | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i)) | | | | | | | | | |
| | | | | | TOTAL ADD'L FEE | | | TOTAL ADD'L FEE | | |
| | | | | | TOTAL ADD'L FEE | | | TOTAL ADD'L FEE | | |
| | | | | | Legal Instrument Examiner: peggy s. yarbrough | | | | | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-0199 and select option 2.

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 11/06/2006

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01 FC:1202 1,150.00 DA

Adjustment date: 01/23/2007 ZJUHA1
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01 FC:1202 1150.00 CR